

RESOLUTION NO. 07-31

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE RELEASE AND CANCELLATION OF A UNITY OF TITLE DATED APRIL 1, 1991 AS RECORDED IN OFFICIAL RECORDS BOOK 15084, PAGES 2626-2635, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND FURTHER AUTHORIZE THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO EXECUTE THE RELEASE IN FURTHERANCE THEREOF.
PROPERTY LOCATED AT 711-721 WEST 16 STREET, HIALEAH, FLORIDA.

WHEREAS, the property owner of an industrial warehouse desires to release a 1991 unity of title to allow a property owner to convert the property located at 711-721 West 16 Street, Hialeah, Florida to condominium ownership; and

WHEREAS, the released properties will satisfy minimum parking requirements independently of each other.

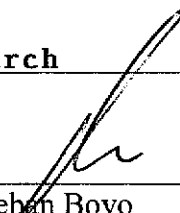
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The Mayor and the City Council of the City of Hialeah, Florida hereby approve the release and cancellation of a Unity of Title dated April 1, 1991 as recorded in the Official Records Book 15084, pages 2626-2635, of the Public Records of Miami-Dade County, Florida and further authorize the Mayor and the City Clerk, as

(THIS SPACE IS LEFT INTENTIONALLY BLANK.)

attesting witness, on behalf of the City, to execute the release in furtherance thereof.

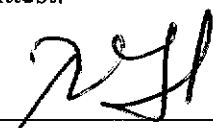
PASSED AND ADOPTED this 27th day of March, 2007.



Esteban Bovo
Council President

Attest:

Approved on this 3 day of March, 2007.



Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

s:/wmg/legisl/reso-07/releaseunityofitle711-721west16streetdoc

Resolution was adopted by a 6-0-1 vote with Councilmembers Bovo, Caragol, Gonzalez, Hernandez, Miel and Yedra voting "Yes", and Councilmember Casals-Muñoz abstained.

This instrument was prepared by and
when recorded return to:

Name: Javier L. Vazquez, Esq.
Address: Javier L. Vazquez, P.A.
6500 Cow Pen Road, #302
Miami Lakes, Fl. 33014

CFN 2007R0372806
OR Bk 25531 Pgs 1854 - 1857; (4pgs)
RECORDED 04/13/2007 09:45:04
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

(Space reserved for Clerk)

**UNITY OF TITLE
CONDOMINIUM**

WHEREAS, A&R Investments, LLC holds the fee simple title to the land in Miami-Dade County, Florida, bearing the following legal description:

PARCEL I:

Unit 2 "D", Westland Industrial Park Phase Three, a condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 9417, page 886, as amended by First Amendment to Declaration of Condominium, as recorded in Official Records Book 4381, together with common elements and limited common elements appurtenant thereto, formerly known as:

A portion of Tract I of Amended Plat of Hialeah Lawns, according to the plat thereof, as recorded in Plat Book 32, page 56, of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Commence at the intersection of the west line of said tract I extended northerly and the north line of Tract I extended westerly; thence run North 90° 00' 00" East, along the north line of Tract I and its extension for 208.25 feet to the point of beginning of Tract of land hereinafter described; thence continue North 00° 00' 00" East for 94.50 feet; thence run South 00° 00' 00" East for 56.30 feet; thence run North 90° 00' 00" East for 20.00 feet; thence run South 00° 00' 00" East for 39.77 feet to the north face of a one-story C.B.S. warehouse known as 721 West 16 Street, Hialeah, Florida; thence run North 89° 52' 39" East along the north face of said warehouse for 109.14 feet to the west face of the warehouse located at 721 West 16 Street, Hialeah, Florida; thence run South 00° 07' 55" West along the west face of said warehouse and the east face of said warehouse for 174.22 feet to a point on the south line of said Tract I; thence run South 89° 59' 40" West, along the

south line of said Tract I for 144.38 feet; thence run North 01° 23' 30" West, parallel with the east line of said Tract I for 135.08 feet to a point on the north line of the South ½ of said Tract I; thence run South 89° 59' 50" West, along the north line of South ½ of said Tract I for 75.58 feet; thence run North 00° 00' 00" East for 135.04 feet to the point of beginning; subject to an easement over the West 11 feet thereof of the most westerly line for ingress and egress and together with an easement for ingress and egress over an 11-foot strip of land west and parallel with the most westerly line of above-described parcel of land; as amended by Declaration of Condominium and Amendments thereto hereby above-described.

AND

PARCEL II:

Unit 1 "C", Westland Industrial Park Phase Three, a condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 9417, page 886, as amended by First Amendment to Declaration of Condominium, as recorded in Official Records Book 4381, together with common elements and limited common elements appurtenant thereto, formerly known as:

A portion of Tract I of Amended Plat of Hialeah Lawns, according to the plat thereof, as recorded in Plat Book 32, page 56, of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Commence at the intersection of the west line of said tract I extended northerly and the north line of Tract I extended westerly; thence run North 90° 00' 00" East, along the north line of Tract I and its extension for 302.75 feet to the point of beginning of Tract of land hereinafter described; thence continue North 00° 00' 00" East for 273.33 feet to a point of curve; thence run southeasterly along the arc of a circular curve concave to the southwest, having a radius of 25 feet and a central angle of 88° 36' 30" for an arc distance of 38.66 feet to a point of tangency with the east line of said Tract I; thence run South 01° 23' 30" East; along the east line of Tract I for 220.11 feet to a point of curve; thence run southwesterly along the arc of a circular curve concave to the northwest, having a radius of 25 feet and a central angle of 91° 33' 10" for an arc distance of 39.87 feet to a point of tangency with the south line of Tract I; thence run South 89° 59' 40" West, along the south line of Tract I for 149.94 feet; thence run North 00° 07' 55" East, along the west face of a one-story C.B.S. warehouse located at 711 West 16 Street, Hialeah, Florida and the east face of a one-

story C.B.S. warehouse located at 721 West 16 Street, Hialeah, Florida, for 174.22 feet to a point on the forth face of the warehouse located at 721 West 16 Street; thence run South 89° 52' 39" West, along the north line of said warehouse for 109.14 feet; thence run North 00° 00' 00" East for 39.77 feet; thence run North 90° 00' 00" West for 20.00 feet; thence run North 00° 00' 00" East for 56.30 feet to a point of beginning, as amended by Declaration of Condominium and Amendment thereto hereby above-described; and

In consideration of the release of that Unity of Title executed by KYMR, Inc., a Florida corporation, recorded in Official Records Book 15084, pages 2626-2635, of the Public Records of Miami-Dade County, Florida on properties having a street address of 711-721 West 16 Street, Hialeah, Miami-Dade County, Florida, under Clerk's File No. 91R219888 and for other good and valuable considerations, Owner hereby agrees to restrict the use of the subject property in the following manner:

The Property will be developed in substantial conformity with the site plan entitled, "Modification to Existing Warehouse For Worldwide Investment, Corp.", prepared by A. Taquechel Assoc., Inc., dated the 1st day of March, 2007 ("Site Plan").

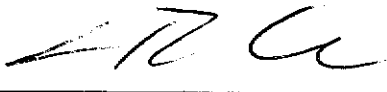
That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land. This agreement shall not be interpreted to preclude the development of the subject property for a single condominium and the sale of individual condominium units therein.

Owner further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land and may be recorded, at Owner's expense, in the Public Records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned, theirs heirs and assigns until such time as the same may be released in writing upon approval of the Hialeah City Council.

Signed, sealed and delivered
in the presence of:

**A&R INVESTMENTS,
LLC, a Florida limited liability company**

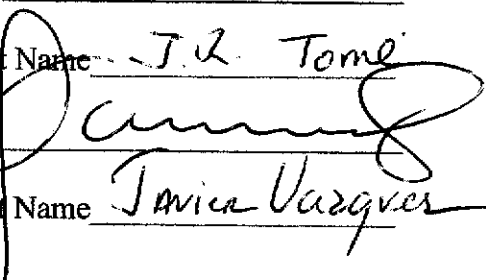
Sign



Print Name

J. L. Tome

Sign



Print Name

Tania Vazquez

By:



Recaredo Gutierrez, Managing Member

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

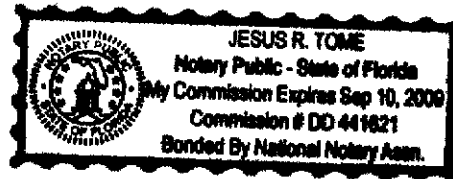
William Grodnick 3/19/07
City Attorney Date

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE) SS:

The foregoing instrument was acknowledged before me this 19th day of MARCH, 2007, by Recaredo Gutierrez, as Managing Member of A&R Investments, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification and did (did not) take an oath.

[Signature]
Notary Public, State of Florida

Typed/printed or stamped name
Commission No.



[NOTARIAL SEAL]



CFN 2007R0372807
OR Bk 25531 Pgs 1858 - 1864 (7pgs)
RECORDED 04/13/2007 09:45:04
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

RELEASE OF UNITY OF TITLE

This Release of Unity of Title Agreement made at 501 Palm Avenue, Hialeah, Florida 33010 this 12th day of March, 2007, by the City of Hialeah, a municipal corporation organized and existing under the laws of the State of Florida.

WITNESSETH:

WHEREAS, on April 1, 1991, KYMR, Inc., a Florida corporation, executed a Unity of Title which was recorded in Official Records Book 15084, pages 2626-2635, of the Public Records of Miami-Dade County, Florida on properties having a street address of 711-721 West 16 Street, Hialeah, Miami-Dade County, Florida, under Clerk's File No. 91R219888, bearing the following legal description:

PARCEL I:

Unit 2 "D", Westland Industrial Park Phase Three, a condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 9417, page 886, as amended by First Amendment to Declaration of Condominium, as recorded in Official Records Book 4381, together with common elements and limited common elements appurtenant thereto, formerly known as:

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warehouse for 174.22 feet to a point on the south line of said Tract I; thence run South 89° 59' 40" West, along the south line of said Tract I for 144.38 feet; thence run North 01° 23' 30" West, parallel with the east line of said Tract I for 135.08 feet to a point on the north line of the South ½ of said Tract I; thence run South 89° 59' 50" West, along the north line of South ½ of said Tract I for 75.58 feet; thence run North 00° 00' 00" East for 135.04 feet to the point of beginning; subject to an easement over the West 11 feet thereof of the most westerly line for ingress and egress and together with an easement for ingress and egress over an 11-foot strip of land west and parallel with the most westerly line of above-described parcel of land; as amended by Declaration of Condominium and Amendments thereto hereby above-described.

AND

PARCEL II:

Unit 1. "C", Westland Industrial Park Phase Three, a condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 9417, page 886, as amended by First Amendment to Declaration of Condominium, as recorded in Official Records Book 4381, together with common elements and limited common elements appurtenant thereto, formerly known as:

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along the east line of Tract I for 220.11 feet to a point of curve; thence run southwesterly along the arc of a circular curve concave to the northwest, having a radius of 25 feet and a central angle of $91^{\circ} 33' 10''$ for an arc distance of 39.87 feet to a point of tangency with the south line of Tract I; thence run South $89^{\circ} 59' 40''$ West, along the south line of Tract I for 149.94 feet; thence run North $00^{\circ} 07' 55''$ East, along the west face of a one-story C.B.S. warehouse located at 711 West 16 Street, Hialeah, Florida and the east face of a one-story C.B.S. warehouse located at 721 West 16 Street, Hialeah, Florida, for 174.22 feet to a point on the north face of the warehouse located at 721 West 16 Street; thence run South $89^{\circ} 52' 39''$ West, along the north line of said warehouse for 109.14 feet; thence run North $00^{\circ} 00' 00''$ East for 39.77 feet; thence run North $90^{\circ} 00' 00''$ West for 20.00 feet; thence run North $00^{\circ} 00' 00''$ East for 56.30 feet to a point of beginning, as amended by Declaration of Condominium and Amendment thereto hereby above-described.

WHEREAS, the Unity of Title was executed in order to satisfy minimum parking requirements; and

WHEREAS, the current property owner and successor in interest, desires to further subdivide the industrial warehouse property into condominium units and wishes to have the Unity of Title released; and

WHEREAS, the separated parcels I and II and the individual condominium units will satisfy minimum zoning and fire code requirements independent of each other; and

WHEREAS, the Mayor and the City Council approved the Release of the Unity of Title on March ___, 2007 by Hialeah, Fla., Ordinance 07-___ (Mar. ___, 2007); and

WHEREAS, the property owner has executed this Release.

NOW, THEREFORE, in consideration of the premises hereof, the aforesaid Unity of Title dated April 1, 1991 executed by KYMR, Inc., a Florida corporation, is hereby released, nullified and cancelled.

(THIS SPACE IS INTENTIONALLY LEFT BLANK.)

IN WITNESS WHEREOF, the parties hereto have cause this instrument to be executed by their respective officials thereunto duly authorized this day and year first above written.

Signed, sealed and delivered
in the presence thereof:

A&R Investments, LLC a
Florida Limited Liability company
711-721 West 16 Street
Hialeah, Florida 33010

Authorized signature on behalf of
A&R Investments, LLC.

Attest:

By: RLG 3-12-07
Recardo Gutierrez Date
Managing Member

(Seal)

Witness

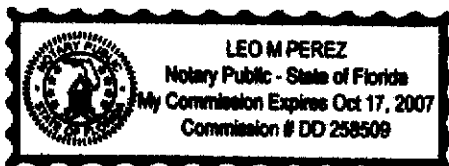
Printed/typed Name: Leo M. Perez

Witness

Printed/typed Name: Janet Vargas

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 12th day of March, 2007, by Recardo Gutierrez as managing member of A&R Investments, LLC, a Florida limited liability company, and attested by _____, as _____, on behalf of the company. They are personally known to me or have produced _____ as identification and did (did not) take an oath.



Notary Public, State of Florida

Leo M. Perez

Typed/print or stamped name
Commission No.

CITY OF HIALEAH, FLORIDA
501 Palm Avenue/ P. O. Box 11-0040
Hialeah, Florida 33011-0040

Authorized signature on behalf of the City
of Hialeah, Florida

Attest:

Rafael E. Granado
City Clerk (SEAL)

Mayor Julio Robaina

3-30-07
Date

Sandra Garcia
Witness

Printed/typed Name: Sandra Garcia

Carmen Hernandez
Witness

Printed/typed Name: Carmen Hernandez

Approved as to legal sufficiency and as to form:

William M. Grodnick
William M. Grodnick
City Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 30th day of March, 2007, by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by Rafael E. Granado, City Clerk of the City of Hialeah, Florida on behalf of the City of Hialeah. They are personally known to me or have produced _____ as identification and did (did not) take an oath.

Odalis E. Diaz
Notary Public, State of Florida

Typed/printed or stamped name
Commission No.

MY COMMISSION # DD536764

EXPIRES: May 15, 2010

1-800-3-NOTARY

FL Notary Public Assoc. Co.

